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MAR 29 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 2340

Amina ODIDI and Isa ODIDI

Group Art Unit: 1616

Application No.: 09/845,497

Examiner: Alton Pryor

Filed: May 1, 2001

Docket No.: 9577-25 LAB

For: EXTENDED RELEASE PHARMACEUTICALS

Customer No.: 24223

Date : March 29, 2006

AMENDMENT AND RESPONSE

United States Patent and Trademark Office
Customer Service Window, MAIL STOP AMENDMENT
Commissioner for Patents
Randolph Building
401 Dulany Street
Alexandria, Virginia
U.S.A. 22314

Sir:

This is in response to the Office action of December 30, 2005.

The Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

19-2253
1 @ 2253 = 510

In re: Odidi et al.
Serial No. 09/845,497
Docket No. 9577-25

- 9 -

the applied art of record must teach or suggest each and every feature of a rejected claim. See M.P.E.P. §2143.03. Hirashima does not teach or suggest these properties of the coat or the specific percentage(s). In fact, the coat of Hirashima would be permeable. The polyethylene glycol of the coat of Hirashima would dissolve in solution producing porous channels in the coat, while maintaining its' integrity even after the active had leached out. The coat of Hirashima would not be soluble at any pH. In contrast, the coat of the claimed invention is non-permeable and soluble in a pH of above about 5.0.

In addition, with respect to Claims 17 and 23, Hirashima does not teach or suggest the inclusion of about 0.5%-30% by weight polyethylene glycol or 0.5%-30% by weight plasticizer comprising polyethylene glycol, respectively, in the coat. The polyethylene glycol of Hirashima is outside the ranges of the components of the claimed invention.

For these reasons, it is respectfully submitted that independent Claims 17, 23 and 33 are patentable over Hirashima and consequently, Claims 21 and 30, which are dependent, or ultimately dependent, from Claim 17, are also patentable over Hirashima.

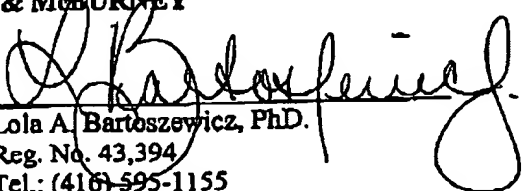
Conclusion

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of Claims 1, 6-9, 11, 15-17 and 21-34, and the prompt issuance of a Notice of Allowability are respectfully solicited.

In the event that this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to Sim & McBurney's Account No. 192253, referencing docket number 9577-25 LAB.

Respectfully submitted,
SIM & McBURNEY

By


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